

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

RANDY TRUITT, et al.,

Plaintiffs,

v.

FOREST RIVER, INC.,

Defendant.

Case No. 3:20-CV-964 JD

**ORDER**

Now before the Court is Plaintiff Randy Truitt and Defendant Forest River Inc's stipulation of dismissal (DE 52), which seeks to dismiss Truitt's claims against Forest River related to Lippert Axles, with prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). Technically, Rule 41(a) does not apply here, as it refers to dismissal of "an action," as opposed to dismissal of a claim or party. *Taylor v. Brown*, 787 F.3d 851, 857–58 (7th Cir. 2015) (stating that "Rule 41(a) should be limited to dismissal of an entire action" and that Rule 15(a) is the proper vehicle for adding or dropping parties or claims). However, no party has responded in opposition to the notice, so the Court construes it as a motion under Rule 15(a) and GRANTS the motion to dismiss Truitt's claims against Forest River related to Lippert Axles, with prejudice. (DE 52.) This case proceeds on the other claims.

SO ORDERED.

ENTERED: September 27, 2022

/s/ JON E. DEGUILIO  
Chief Judge  
United States District Court